

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 2299

OF 2005 .

Surinderpal Chamanlal Aggarwal & ors....Petitioners.

V/s.

Union of India & ors.

... Respondent.

Shri Aditya Chitale for the Petitioners.

Shri R.V. Desai with Y. R. Mishra for the
respondents.

CORAM : V.C.DAGA AND J.P. DEVADHAR, JJ.

DATED : 6.10.2005.

P.C. :

. Heard.

. During the course of hearing, Shri R.V. Desai, learned Senior Counsel appearing for the Revenue, after taking instructions from Shri H. K. Narvani, Superintendent- (Preventive) Central Excise, Belapur Commissionerate, New Mumbai, who is present in Court, states that the department does not want to continue with sealing of the office premises of the petitioners and at the same time Revenue is also not interested in freezing the current accounts of the petitioners with the Oriental Bank and/or any other banks.

2. Shri Desai, thus, submits that so far as sealing of office premises is concerned, the department has already removed their seals from the premises. With respect to freezing of bank

accounts, Desai submits that all the banks would be intimated about this above intention within 2 days from today. Statements made by Shri Desai are taken on record.

3. In view of the aforesaid statement made by Shri Desai, petitioners seek to withdraw this petition. Petition is, thus, dismissed as withdrawn with no order as to costs.

4. At this stage, Shri Desai urged that the petitioners be directed to cooperate with the adjudicating authority. He submits that petitioner Nos. 2 and 3 have not been responding to the notices issued to them by the department.

5. Learned Counsel appearing for the petitioner Nos. 2 and 3 while reacting to the submissions of Shri Desai, undertook on behalf of the petitioners to cooperate with the department for early adjudication. He further submitted that both the petitioners i.e. petitioners Nos.2 and 3 shall appear before respondent No.4 at 10.30 a.m. on 10th October 2005 and further undertook to appear from time to time as may be required.

. Petition stands disposed of in terms of this order as withdrawn with no order as to costs.

(J.P. DEVADHAR,J.)

(V.C. DAGA,J.)